

App. No. 10/673,315  
Response to Final Rejection mailed 21 September 2004

### REMARKS

The following claims are pending in the application: 1 - 20.  
No claims are amended.

#### Priority

The Examiner acknowledged Applicants' claim for foreign priority based on an application filed in Germany on March 29, 2001, through a PCT application designating the US. Applicants have filed a certified copy of the German parent application on 22 October and a search of the IFW shows that the priority copy has been received.

#### 35 U.S.C. §103(a) Rejection

The Examiner has rejected claims 1-20 under 35 U.S.C. §103(a) as being unpatentable over a combination of the previously-cited Ober '199 in view of German 78 13 781 U1 ("German '781"). Applicants respectfully traverse this rejection.

The present rejection is identical to the rejection in the prior action, except that the Examiner has now substituted German '781 for Yong '021. The Examiner's position is that Ober '199 discloses the claimed invention except for the retractable cord that lies loosely in an interior compartment. The Examiner further stated that it is well known to place retractable cords into the housing of "peripheral devices" as shown by German '781 and thus it would have been obvious to combine Ober '199 with German '781 to obtain the desired result.

As the Examiner has not repeated the rejection that includes Yong '021, applicants believe that rejection to have been overcome.

Applicants respectfully note that claim 1 does not position the cord-receiving compartment in a "peripheral device." Claim 1 clearly places the cord-receiving compartment in the "housing," rather than the "display/operating unit," which would be a "peripheral device." The housing is where the weighing mechanism of the balance is located. It is not a "peripheral device." The Examiner certainly understands this, because

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the Examiner has understood from the prior Office Action Response that the cord-receiving computer mouse of Yong '021 is a "peripheral device" and that the electrical device taught in German '781 is not a "peripheral device", resulting in the substitution of German '781 for Yong '021. Applicants agree with this point.

The applicants cannot agree, however, that anything taught in German '781 would be even reasonably useful in teaching how to store a signal cable in the housing of a highly-sensitive balance while maintaining the stability of the balance. The second paragraph of the first page of German '781 describes the invention as being applicable to "Haushaltshandgeräten," which translates roughly from German as "household hand devices." On page 2 of German '781, Figure 1 is described as showing a housing for containing the "electrical and mechanical components" of "eines Dosenöffners oder dergleichen," which translates as "a can opener or the like." Further, at page 4, the preamble of claim 1 of German '781 reads: "Elektrische Haushaltgerät, insbesondere Dosenöffner, Kaffeemühle oder dergleichen," which translates literally from German as "electrical household device, especially can opener, coffee mill or the like."

The real focus on the Examiner's rejection should be on Ober '199. Applicants indicated in the previous response that Ober '199 is silent on the subject of "a balance with a compartment for containing a cable." That is actually quite an understatement. Applicants will now assert that Ober '199 actively teaches against a balance with a compartment for containing a cable, as do the other references made of record by the Examiner and not applied.

The Examiner's attention is directed to Figure 4 of Ober '199. While the text of Ober '199 is silent about attachment of cable 6 to balance housing 12, Figure 4 shows this connection, and it shows a plug connection 19 on cable 6 plugged into balance housing 12. No cable storage in the balance housing is anticipated or expected. This is consistent with the teaching of the other balance patents of record.

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German G 84 01 333.8 relates to a table-mounted electronic mail scale ("Elektronische Tischbriefwaage") and it shows no capability to store signal cable 5 in the scale housing 1, even though the motion-sensitivity of a mail scale is much less than that of a scientific balance, which requires high accuracy.

United States Patent 6,531,665 to Gietenbruch shows a cable 19 (Fig. 4) connecting an operator console unit 4 to a balance housing as stored in the base of the operator console unit. Applicants also respectfully note that Gietenbruch '665 is equivalent to EP 1 160 548 A1 and German 198 58 625 A1, both of which were cited by the applicants. Gietenbruch '665 is commonly-owned with the present application.

United States Patent 4,979,579 to Dardat shows a display unit that slues on an arm 10 pivoted about the balance housing base.

United States Patent 6,472,617 to Montagnino relates to a body fat scale, and is not relevant to the present invention, because it is obviously a less sensitive device than even the mail scale cited above. The ability to retract cables into the housing of this device teaches nothing to people of ordinary skill in the art of highly-sensitive electronic balances.

United States Patent 6,663,007 B1 to LÜchinger, et al, is a commonly-owned invention with a common inventor that was co-pending with the present application. It is cited in the Examiner's references in the first Office Action. LÜchinger '007 teaches very concisely the sensitivity of the weighing mechanism on electronic balances such as that to which the present invention pertains: "To the extent that electronic entry means are used, the heat generated by the operator panel may be detrimental to the weighing results, particularly in the case of analytical balances and microbalances." Col. 1, lines 15-18.

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None of these references pertaining to high-precision balances do anything to teach or suggest that cables can be housed in the balance housing without disrupting the stability of the balance. They all verify the sensitivity of such balances.

### CONCLUSION

In view of the foregoing remarks, the applicants respectfully submit that the present rejection should be withdrawn and the claims allowed.

Telephone inquiry to the undersigned in order to clarify or otherwise expedite prosecution of the subject application is respectfully requested.

Respectfully submitted,

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